



DOUGLAS A. DUCEY
GOVERNOR

STATE OF ARIZONA
OFFICE OF THE GOVERNOR

EXECUTIVE OFFICE

March 29, 2018

The Honorable Michele Reagan
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

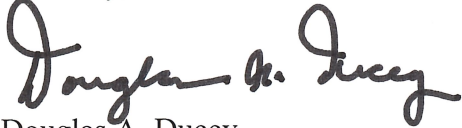
Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 2nd Regular Session, which I signed on March 29, 2018:

HB 2035 deferred compensation plans; governing committee (Livingston)
HB 2156 legislative vacancy; appointment; time frame (Coleman)
HB 2196 certificates of necessity; hearings; duration (Carter)
HB 2242 fire districts; revisions; county islands (Farnsworth, E.)
HB 2258 diabetes; annual report (Carter)
HB 2412 leave of absence; day; definition (Shope)
HB 2477 high school mathematics; proficiency; notification (Udall)
HB 2505 converted entities; claims (Cobb)
HB 2513 hyperbaric oxygen therapy; veterans; fund (Finchem)
HB 2536 dual enrollment; homeschooled children (Bowers)
SB 1073 orthotics; prosthetic devices; valid prescription (Brophy McGee)
SB 1111 workers' compensation; opioids; dispensed medications (Fann)
SB 1204 trusts and estates (Worsley)
SB 1253 game and fish; licenses; fees (Griffin)
SB 1294 tax corrections act of 2018 (Farnsworth, D.)
SB 1401 ignition interlock device; installer; manufacturer (Worsley)
SB 1405 corporate income tax allocation; sales (Fann)
SB 1422 universities; tuition and fees (Griffin)

SB 1499 community facilities districts; directors (Smith)
SB 1502 ignition interlock device; incarceration credits (Smith)
SB 1518 department of child safety; reports (Brophy McGee)

Sincerely,

A handwritten signature in black ink, reading "Douglas A. Ducey". The signature is written in a cursive, flowing style with a large initial "D".

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

House Engrossed

FILED

MICHELE REAGAN

SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 95

HOUSE BILL 2412

AN ACT

AMENDING SECTIONS 26-168 AND 38-610, ARIZONA REVISED STATUTES; RELATING TO
ABSENCE FROM EMPLOYMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 26-168, Arizona Revised Statutes, is amended to
3 read:

4 26-168. Absence from employment for military duty; vacation
5 and seniority rights; violation; classification

6 A. An employer shall not refuse to permit members of the national
7 guard or the United States armed forces reserves to take leaves of absence
8 from employment for the purpose of complying with competent orders of the
9 state or United States for active duty, or to attend camps, maneuvers,
10 formations or armory drills. The leaves of absence shall not affect
11 vacation rights that employees otherwise have, except that an employer
12 need not consider the period of absence as a period of work in determining
13 eligibility for vacation and the amount of vacation pay to which the
14 employee is entitled.

15 B. A member of the national guard or the United States armed forces
16 reserves shall not lose seniority or precedence while absent under
17 competent military orders. On return to employment the employee shall be
18 returned to the employee's previous position, or to a higher position
19 commensurate with the employee's ability and experience as seniority or
20 precedence would ordinarily entitle the employee.

21 C. An officer or employee of this state, or any department or
22 political subdivision of this state, who is a member of the national guard
23 or the United States armed forces reserves shall be entitled to leave of
24 absence pursuant to section 38-610 from the individual's duties without
25 loss of time or efficiency rating on all days during which the individual
26 is engaged in field training as provided by this chapter, and for a period
27 during leave of absence not to exceed thirty days in any two consecutive
28 years the individual is entitled to pay. For purposes of this section, an
29 officer or employee shall not be charged military leave for days on which
30 the individual was not otherwise scheduled for work. FOR THE PURPOSES OF
31 THIS SUBSECTION, "DAY" MEANS A SHIFT OF WORK.

32 D. When ordered by the governor to perform training or duty under
33 this section or section 26-171, subsection C, section 26-172 or section
34 26-175, members of the Arizona national guard shall have the protections
35 afforded to persons on federal active duty by the soldiers and sailors
36 civil relief act of 1940 (54 Stat. 1178; 50 United States Code App.
37 sections 501 through 548 and 560 through 591) and by the uniformed
38 services employment and reemployment rights act of 1994 (108 Stat. 3149;
39 38 United States Code sections 4301 through 4333).

40 E. A person violating any provision of subsection A or B of this
41 section is guilty of a class 1 misdemeanor. The county attorney shall
42 prosecute violations of this section in superior court.

1 Sec. 2. Section 38-610, Arizona Revised Statutes, is amended to
2 read:

3 38-610. Leave of absence for certain federal training;
4 definitions

5 A. The officers and employees of this state, any county, city or
6 town or any agency or political subdivision of this state or a county,
7 city or town shall be granted leaves of absence from their duties without
8 loss of time, pay or efficiency rating:

9 1. On all days during which they are employed on training duty or
10 to attend camps, maneuvers, formations or drills under orders with any
11 branch or reserve of the armed forces of the United States for a period of
12 not to exceed thirty days in any two consecutive years.

13 2. On all days during which they are employed on training duty by
14 the national disaster medical system under the United States department of
15 health and human services.

16 B. The officers and employees of this state, any county, city or
17 town or any agency or political subdivision of this state or a county,
18 city or town shall be granted leaves of absence from their duties on all
19 days during which they are employed on training duty or to attend camps,
20 maneuvers, formations or drills under orders with any auxiliary of the
21 armed forces of the United States for a period of not to exceed thirty
22 days in any two consecutive years. The state, any county, city or town or
23 any agency or political subdivision of this state or a county, city or
24 town may grant the leave of absence without loss of time, pay or
25 efficiency rating.

26 C. For the purposes of subsection A, paragraph 1 and subsection B
27 of this section, an officer or employee shall not be charged military
28 leave for days on which the individual was not otherwise scheduled for
29 work. The period of time spent in training under orders shall not be
30 deducted from the vacation period with pay to which any officer or
31 employee is otherwise entitled.

32 D. For the purposes of this section: —

33 1. "DAY" MEANS A SHIFT OF WORK.

34 2. "Year" means the fiscal year of the United States government.

APPROVED BY THE GOVERNOR MARCH 29, 2018

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 29, 2018

Passed the House February 8, 20 18

Passed the Senate March 2, 20 18

by the following vote: 58 Ayes,

by the following vote: 30 Ayes,

0 Nays, 1 Not Voting

1 vacant

0 Nays, 0 Not Voting

[Signature]
Speaker of the House

☐ Pro Tempore

[Signature]
Chief Clerk of the House

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

27th day of March, 20 18

at 9:26 o'clock A. M.

[Signature]
Secretary to the Governor

Approved this 29th day of

March 2018

at 11:53 o'clock A. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 29 day of March, 20 18

at 3:04 o'clock P. M.

[Signature]
Secretary of State

H.B. 2412